REMARKS

The application includes claims 1-4, 8-13, 19-22, 24-28 prior to entering this amendment.

The examiner rejects claims 1, 2, 4, 8-10, 12-13, 19-22, and 24-27 under 35 U.S.C. § 102(e) as being anticipated by Wookey (U.S. Patent 6,085,244).

The examiner rejects claim 28 under 35 U.S.C. § 103(a) as being unpatentable over Wookey.

The examiner rejects claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Wookey in view of Hripesak (U.S. Patent 5,555,191).

The examiner rejects claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Wookey in view of Krishnamurthy et al. (U.S. Patent 6,389,464).

The applicant amends claims 1, 10, 12, and 21 and cancels claims 4-7, 11, 14-18, and 23-28.

The application remains with claims 1-3, 8-10, 12-13, 19-22 after this amendment.

The applicant adds no new matter and requests reconsideration.

Claim Rejections Under §§ 102 and 103

The examiner rejects claims 1, 2, 4, 8-10. 12-13, 19-22, and 24-27 as old over Wookey. The applicant disagrees.

The present application describes a system including a technical support center in communication with at least one network device, e.g., an access server, through a packet switching network. The network device includes at least one hardware and software subsystems and a monitoring subsystem configured to monitor the status of corresponding hardware and software subsystems. When the monitoring subsystem determines that a problem exists with any of the hardware or software subsystems, it transmits a message to the technical support center for diagnosis and eventual repair of the problem without interruption to the network device's operation. The network device may in some instances page a user of the network device to alert him of the problem. The network device may, in other instances, include a monitoring subsystem configured to detect at least one of a memory capacity of the network device dropping below a first threshold level, a percentage of call failures to or from the network device exceeding a second threshold level, a software reload by the network device, a reduced quality of an interface

on the network device, a temperature of the network device exceeding a third threshold level, and a failed interface on the network device.

Wookey, on the other hand, discloses a remote monitoring system that although automatically communicates system diagnostic information from a monitored computer to a remote service center at predetermined intervals,[1] does so without paging the user of the monitored computer or without detecting at least one of a memory capacity of the network device dropping below a first threshold level, a percentage of call failures to or from the network device exceeding a second threshold level, a software reload by the network device, a reduced quality of an interface on the network device, a temperature of the network device exceeding a third threshold level, and a failed interface on the network device.

Claim 1 recites *at least one access server*. The examiner acknowledges in his rejection of previous claim 11 that Wookey does not disclose an access server. The applicant agrees. The examiner, however, alleges that Krishnamurthy discloses the recited access server. The examiner concludes that it would have been obvious for a person of reasonable skill in the art to modify Wookey with the access server of Krishnamurthy because Wookey teaches that the network comprises the internet. While Wookey discloses that the diagnostic information is communicated from the monitored system 102 to the service center computer system 101 "via a dial up modem line, email over the internet, RF link, or any suitable communication link"[2] it does not provide a motivation to replace its monitored system 102, including any of its master 103 or slaves 105, 107, 109, with an access server as disclosed in Krishnamurthy. The examiner's stated motivation to combine Wookey and Krishnamurthy "because Wookey teaches that the network comprises the internet"[3] is insufficient to maintain the rejection.

Claim 1 recites *where the least one access server is configured to page a user of the access server responsive to the detection of the problem*. Claim 12 recites *where the means for monitoring includes means for paging a user to alert the user of the problem*. In his rejection of claim 4, the examiner identifies Wookey's figure 8 as the recited page. But figure 8 is "an exemplary graphical user interface (GUI) screen of the administrator program"[4] that provides

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[1] Wookey, abstract.
[2] Wookey, column 4, lines 13-17.
[3] Office action dated 11/13/2006, page 13.
[4] Wookey, column 13, lines 62-63.

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specific information about the currently selected monitor. Figure 8 does not disclose a page —as in to summon or call in contrast to a GUI screen— to alert a user of the network access server of the problem. And Wookey's GUI screen does not appear or occur responsive to a problem, but rather on start up.[5]

Claim 1 recites *where the status information includes error messages from … the second interface line.* Nowhere does Wookey describe that its system diagnostic information includes diagnostics associated with the second interface line. The examiner did not explicitly identify which portions of Wookey disclosed the recited first and second interface lines, but it is clear that even if Wookey does disclose these lines that its diagnostic information does not include anything other than diagnostics associated with the master 103 and/or slaves 105, 107, and 109.

Claim 12 recites *the first message transmitted in response to the monitoring means detecting a problem with one of the hardware subsystem and the software subsystem, the first message transmitted prior to failure of the one of the hardware subsystem and the software subsystem.* Wookey discloses a monitoring system that first aggregates all of the diagnostic information of a plurality of slaves 105, 107, and 109 into the slave 103, and then *predetermined intervals.*[6] Wookey's master does not provide the diagnostic information for it and the slaves 105, 107, and 109 responsive to *detecting a problem* nor does it provide the diagnostic information *prior to failure* as required by the claim.

Claim 21 recites *where the means for monitoring includes means for detecting at least one of a memory capacity of the network device dropping below a first threshold level, a percentage of call failures to or from the network device exceeding a second threshold level, a software reload by the network device, a reduced quality of an interface on the network device, a temperature of the network device exceeding a third threshold level, and a failed interface on the network device.* In his rejection of claim 28, the examiner alleged that the differences recited were not part or involved in the steps. Claim 21 now explicitly recites that the monitoring means includes means for detecting various conditions, including detecting *percentage of call failures to or from the network device exceeding a second threshold level, a reduced quality of an interface on the network device, and a temperature of the network device exceeding a third threshold level.* The

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[5] Wookey, column 13, line 44.
[6] Wookey, abstract, column 2, lines 50-51.

examiner has acknowledged that Wookey does not disclose any of these means for detecting and the applicant agrees.

For the above reason, the combination of Wookey, Krishnamurthy, or any other reference of record fails to establish *prima facie* obviousness because it does not teach or suggest all the features recited in the claims.[7]

Conclusion

The applicant requests reconsideration and allowance of all remaining claims. The applicant encourages the examiner to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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[7] MPEP 2143.03.